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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Fear

Confirmation No.: 86668

Serial No.: 09/772,330

Art Unit: 1661

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Examiner: June Hwu

For: BLACKBERRY PLANT  
NAMED 'DRISCOLL  
SONOMA'

Attorney Docket No: 8569-013

**STATEMENT UNDER 37 C.F.R. § 1.125**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned states that no new matter has been added to the Substitute Specification submitted with the present Amendment. See MPEP 608.01(q). The changes made to the original specification, and reflected in the Substitute Specification, are indicated in the "marked-up" version of the Substitute Specification enclosed as Exhibit A to the Response filed herewith.

Respectfully submitted,

Date: September 4, 2003

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